698

IV. Whoever fails to comply with any lawful requirement of an officer made under these rules shall, on conviction, be punishable with imprisonment for any term not exceeding six months or with fine not exceeding one thousand rupees, or with both.

No. Fl. 237 — *Ex.* 61-37, *dated* 25*th October* 1938.

In exercise of the powers conferred by section 17 of the Matches (Excise Duty) Act, 1934 (III of 1934), the Government of His Highness the Maharaja of Mysore are pleased to make certain rules for the purpose of regulating the issue of matches out of the premises of a manufactory situated in the State of Mysore.

By Order,

P. H. KRISHNA RAO,

Secretary to Government,

Local Self-Government Department.

CHAPTER I.

1. *Short title, commencement and definitions.*— (1) These rules may be called "The Mysore Matches (Excise Duty) Supplementary Rules, 1938."

(2) They shall come into force on the first day of the month following the month in which these rules are published.

2. In these rules unless there is anything repugnant in the subject or context—

(i) "the Act" means the Matches (Excise Duty) Act, 1934 (III of 1934);

(ii) "the Rules" means the Matches (Excise Duty) Rules, 1934;

(iii) "Deputy Commissioner" means the Chief Officer in charge of the Revenue Administration of a district and includes any officer specially authorized to exercise throughout any specified area all or any of the powers of a Deputy Commissioner under these rules.

(iv) "Inspector" means the Inspector of the Excise Department in charge of a Range in which the manufactory is situated;

(v) "Supervising Officer" means an officer appointed by the Deputy Commissioner to exercise the powers and perform the duties of Supervising Officer under these rules;

(vi) "Peon" means a subordinate of the Mysore Excise Department appointed to guard the premises and to prevent the removal of splints, veneers, matches and banderols contrary to these rules;

(vii) "Form" means a form set out in the schedule appended to these rules;

Provided that "Form A" and "Form B" shall mean Form A and Form B appended to these rules;

(viii) "Bonded warehouse" means a compartment or room of the manufactory or a separate place where finished matches are stored pending their removal for consumption subject to the payment of duty under clause 8 of Chapter II or clause 39 or clause 44 of Chapter VI of the rules;

(ix) "Booklet" means a folding or collapsible packet in the form of a book containing matches;

(x) "Case" means a packed box containing a number of gross packets of boxes or booklets containing matches;

(xi) "Duty" means the duty payable under the Act;

(xii) "License" means a license in Form A granted for the manufacture of matches under clause 3 of the rules;

(xiii) "Licensee" means any person, firm or company, holding a license in Form A and includes any agent or other person acting on his or its behalf;

(xiv) "Manufacturing or finishing room" means a room or rooms or a compartment or compartments set apart in the manufactory where matches in the finishing or finished stage, before banderols are affixed to them, are stored during the absence of the Supervising Officer or at such other times as may be necessary to prevent the illicit removal of matches from the manufactory;

(xv) "Manufactory" means a manufactory as defined in the Act, working under a license in Form A appended to the rules and under bonded control and

subject to the supervision of the Mysore Excise Department.

(xvi) "Packet" means a packed or wrapped parcel containing a number of gross of boxes or booklets with matches;

(xvii) "Premises" means the premises of the manufactory described in the schedule attached to the license in Form A appended to the rules and includes the bonded warehouse.

CHAPTER II.

3. (1) *Issue of license and licensed premises.*—An owner of a manufactory who intends to apply for or has obtained a license under section 9 of the Act shall apply to the Deputy Commissioner for the appointment of a bonded warehouse or warehouses wherein the matches manufactured on the licensed premises shall be stored for issue.

(2) The Deputy Commissioner shall on receipt of such application cause enquiries to be made regarding the suitability or otherwise of a godown or other premises for use as a bonded warehouse and on being satisfied that it is suitable, appoint such godown or other premises, as the case may be, as a bonded warehouse.

4. The dipping room where dipped splints in frames are allowed to dry, if this process is not conducted in the manufactory or finishing room, and the place set aside as a bonded warehouse, shall be approved by the Deputy Commissioner before they are used as such. The dipping room as well as the bonded warehouse shall be secured with a strong Government lock, the key of which shall be in the custody of the Surpervising Officer and the rooms shall be opened as and when required for transactions. These rooms may also be secured by locks of the licensee provided that he shall remove the locks and open the rooms as and when required by the Supervising Officer or any other Inspecting Officer, at any time during day or night.

5. Every manufactory and the bonded warehouse attached to it shall be closed on 'close holidays' and shall be open on other days, only during such hours and under such conditions as may be fixed by the Deputy

Commissioner. It will however be open to the Deputy Commissioner to permit work or transactions in the manufactory or bonded warehouse outside the regular working hours of the factory or on close holidays, subject to the payment of overtime fees at such rates as may be fixed by the Deputy Commissioner, by special or general order or rule made under any provision contained in these rules.

Explanation.—"Close holidays" means Sundays, New Year's day, Good Friday, the King Emperor's Birthday, His Highness the Maharaja's Birthday and Christmas Day.

6. Subject to the conditions in clauses 4 and 5, the lock on the bonded warehouse shall be removed only for receipts and issues, inspection by an inspecting officer, and for any other purposes which may be permitted by the Deputy Commissioner. The lock shall be put on immediately after the purpose for which the warehouse was opened, is accomplished.

7. The entrance to every manufactory or finishing room shall be secured with a strong Government lock when there are no transactions, if so required by the Deputy Commissioner and not otherwise; and if the licensee so desires, the entrance may also be secured with his lock. The key of the Government lock shall be in the custody of the Supervising Officer. The licensee shall remove his lock as and when required by the Supervising Officer.

CHAPTER III.

8. *Banderols.*—All the banderols supplied by the Treasury Officer, whether for cash or on credit, shall be delivered to the licensee or his agent, sealed with the Treasury seal and the licensee or his agent shall take delivery of the banderols and hand them over to the Supervising Officer who shall deposit them in the bonded warehouse or a room specially set apart for the storage of banderols, and enter the receipt in Form M. E. 1. The licensee or his agent may obtain banderols from the Supervising Officer as and when they are required, during the working hours of the manufactory.

9. (1) When the licensee desires to purchase banderols for cash, he shall present to the Treasury Officer an

indent in Form M. E. 7, countersigned by the Supervising Officer, and a challan in triplicate, containing particulars of the number and class of banderols required and the cost price of the number of each class, less rebate if any, allowed on a rebate certificate. The Treasury Officer after complying with the indent shall retain the original of the challan with him, hand over the duplicate to the licensee, and send the triplicate to the Supervising Officer who shall file it in support of the entry of receipt in the M. E. 1. register, after sending copies to the Inspector and Deputy Commissioner.

(2) When the licensee desires to purchase banderols on credit subject to the condition in clause 10 he shall present a requisition in Form M. E. 8 to the Supervising Officer who, after scrutinising the requirements in detail, with reference to the security furnished as required by clause 10 and the balance of credit outstanding against him, shall pass the indent for supply to such extent as may be permissible under clause 11 and give it to the licensee who shall present it to the Treasury Officer. The Treasury Officer shall after complying with the requisition, whether in whole or in part, advise the Supervising Officer as to the number and class of banderols issued and the cost price to be recovered from the licensee. The Supervising Officer shall file the advice in token of entry of receipt of the banderols in the M. E. 1. register, after sending copies to the Inspector and Deputy Commissioner.

10. A licensee who desires to obtain banderols on credit under clause 46 of the rules shall execute a trust receipt and furnish to the Deputy Commissioner a security bond in such form as may be prescribed by the Deputy Commissioner for adoption, either generally or in the particular case, to the satisfaction of the Deputy Commissioner.

Provided that if the licensee is unable to furnish sureties to the satisfaction of the Deputy Commissioner he shall deposit with the Deputy Commissioner cash, Government Promissory Notes, Savings Bank Deposit endorsed to the Deputy Commissioner or Post Office Cash Certificates of sufficient value, or mortgage to Government the match factory and plant and all accessories therein, to cover the value of the banderols to be supplied on credit from time to time. If the estimated value of the manufactory with its plant and all its accessories is not sufficient

to cover the value of the banderols required on credit, the licensee shall, in addition to the mortgage of the manufactory and its plant and accessories, furnish sureties or security as aforesaid, for such amount as may be fixed by the Deputy Commissioner. In the case of deposit of Government Promissory Notes, the face value thereof shall exceed, by not less than 10 per cent, the value of banderols to be supplied from time to time.

11. The Deputy Commissioner shall, after the conditions in clause 10 have been complied with, authorize the sale of banderols on credit to the licensee and communicate to the Treasury Officer and the Supervising Officer full particulars of the securities deposited, and the extent of credit granted. The cost of banderols sold on credit excluding the cost of banderols affixed to boxes kept in the bonded warehouse shall not at any time exceed the amount of security furnished by him. The number of banderols to be supplied at a time shall not exceed the average output of the manufactory for one week if the licensee applies for banderols once a week or for three days if he applies twice a week and for two daysi f he applies three times a week. The supply of banderols on credit shall not be made oftener than three times a week.

12. The Treasury Officer shall for the first time when banderols are issued on credit, advise the Supervising Officer of the number and class of banderols issued on credit, and their cost price, and thereafter the Treasury Office shall advise the Supervising Officer from time to time, of the amounts paid by the licensee towards the cost of the banderols, and the number and class of banderols issued on credit and their cost price.

13. (1) The licensee shall submit to the Inspector through the Supervising Officer on or before the 5th day of each month a statement, for the preceding month showing—

(*i*) the number of banderols in hand on the first day of the month;
(*ii*) the number received during the month;
(*iii*) the number used during the month;
(*iv*) the number rendered unserviceable, and
(*v*) the balance on hand on the last day of the month.

The Inspector shall forward the statements to the Deputy Commissioner after taking necessary extracts.

(2) Separate statements shall be submitted for banderols purchased for cash and for those purchased on credit.

14. Banderols purchased for cash and those purchased on credit shall be kept in separate lots in the bonded warehouse or any other room set apart for the purpose, which shall be secured by a strong Government lock, the key of which shall be in the custody of the Supervising Officer. The packets containing banderols purchased on credit shall be marked by the Supervising Officer in red with the letters "Credit." The banderols shall be accounted for separately in the M. E. 1 register both by the Supervising Officer and by the licensee.

15. The licensee shall deliver to the custody of the Supervising Officer from day to day, such of the banderols as have become unserviceable before they have been affixed to boxes or booklets. The Supervising Officer shall make immediate enquiries into the matter and on being satisfied that the banderols in question have not been used previously on a box or booklet which has been issued from any manufactory and that the figure '1', '2', '4', '6' or '8' occurring in the figures '12', '20', '40', '60', or '80' printed on the banderols to indicate the class thereof, has not been damaged or torn, take them over from the licensee, deposit them in the bonded warehouse or room set apart for the storage of banderols and make a note of the receipt of such banderols in the remarks column of the M. E. 1 register against the date. If the figure '1', '2', '4', '6' or '8' aforesaid is defaced or torn, the Supervising Officer shall not accept delivery of the banderols and the licensee shall be liable to pay the full price thereof.

16. Banderols, whether purchased for cash or on credit, which have become unserviceable before being affixed to boxes or booklets, shall be produced once a month, together with a certificate of the Supervising Officer that they have not been previously used, before the Inspector who after examining the banderols, shall forward the refund application to the (1) Deputy Commissioner with his remarks. The (2) Deputy Commissioner will after further scrutiny pass orders on the application of the licensee, for the refund of the cost price of the banderols produced. Similarly, an application for the refund of the cost price of banderols on boxes of matches

which have been destroyed as unserviceable within the factory under the orders of the (3) Deputy Commissioner shall be supported by a certificate of the Supervising Officer that the matches have been destroyed. If the (4) Deputy Commissioner sanctions the refund, the licensee may produce the refund voucher at the Treasury and receive payment or allow the amount to be set off against the cost of banderols purchased by him.

In the case of banderols purchased on credit the refund of the cost price shall be sanctioned only after the cost of the banderols used in the month has been remitted into the Treasury.

CHAPTER IV.

17. *Transfer of matches from the finishing room of the manufactory to the bonded warehouse.*—The packing of matches into boxes or booklets and the affixture of banderols thereto, shall be done only during such hours and under such conditions as may be fixed by the Deputy Commissioner under clause 5. The packing of boxes or booklets into packets and of packets into cases shall be done only in the finishing room and in the presence of the Supervising Officer, after the boxes or booklets have been banderolled in accordance with the Act and the rules.

18. The Supervising Officer shall see that the banderols are properly affixed to boxes or booklets so that they cannot be opened without tearing the banderols, and check the contents of each case, package or packet and the number of matches contained in at least one box in every 10 gross of boxes before they are banderolled

19. No packet or case containing boxef or booklets of matches shall be closed and reckoned as a unit except when a banderol of the appropriate class has been affixed to each box or booxlet in the manner laid down in Chapter VI of the rules and in aceordance with the Government Notification No. D. 1393-I & C 265-33-33, dated 25th August 1934.

20. After each case, or packet is closed, the Supervising Officer shall endorse or impress thereon with a rubber stamp the word 'checked' and sign and date the same to obviate the necessity of the case, or packet being re-opened and examined in the bonded warehouse.

21. Each case, or packet shall contain only an integral number (whether one or more than one) of gross boxes or booklets of matches. The boxes or booklets in each case or packet shall contain the same number of matches on the average and shall, except in the case of matches exempted from being issued in boxes or booklets bearing banderols, have affixed thereto banderols of the same class.

22. Cases, or packets of each class of matches shall bear separate consecutive numbers and shall specify the number of gross boxes in each.

Cases, or packets containing boxes or booklets of classes 1, 2, 3, 4 or 5 as specified in clause 40 (2) of the rules shall be distinguished by the letters 'A', 'B,' 'C', 'D' and 'E', respectively.

23. All boxes or booklets containing matches intended for export and on which no banderols have been affixed, and all loose matches to be exported, shall, before they are removed to the bonded warehouse, be packed into cases, or packets on which shall be pasted labels bearing the inscription "UNBANDEROLLED MATCHES FOR EXPORT."

24. No case, packet, box or booklet, containing matches and no loose matches shall be removed to the bonded warehouse except with the permission of the Supervising Officer. Before removal to the bonded warehouse, the licensee shall present an application in Form M. E. 3-A in duplicate to the Supervising Officer. Every such application shall be numbered consecutively. When a case, packet, box or booklet, or any loose matches are removed to the bonded warehouse, the Supervising Officer and the licensee shall each enter the quantity of matches removed in the register in Form M. E. 2.

25. *Storage into the bonded warehouse.*—On the arrival of any cases, packets, boxes or booklets containing matches, at the bonded warehouse the Supervising Officer shall, after verifying the particulars mentioned in the application, make the necessary entries in Form M. E. 4. In one of the copies of the application in Form M. E. 3-A, he shall endorse the word 'Received,' sign and date the endorsement and deliver it to the licensee; in the duplicate copy, he shall endorse the words 'Taken into account,' sign and date the endorsement and file it. The licensee

shall make similar entries in the register in Form M. E. 4 to be maintained by him.

26. In case of doubt as to the affixture of banderols to boxes or booklets containing matches, or the number of matches contained in a box or booklet, or the number of boxes or booklets contained in a gross, or the number of gross boxes or booklets in a case, or packet, the Supervising Officer shall require the licensee to open the case, packet, box or booklet, and examine it in the presence of the licensee or any authorized agent or servant acting on his behalf. If the Supervising Officer finds any discrepancy between the actual contents of a case, packet, box or booklet and the details as entered in the application, he shall seal the case, packet, box or booklet with his private seal, retain the case, packet, box or booklet in the bonded warehouse and submit a report on the matter to the Inspector. The Inspector after due investigation, shall take such action as may be necessary under the Act or the rules.

27. Separate compartments or separate divisions in the same compartment shall be allotted in the bonded warehouse for—

(1) cases, or packets containing boxes or booklets of matches on which banderols purchased for cash have been affixed;

(2) cases, or packets containing boxes or booklets of maches on which banderols purchased on credit have been affixed; and

(3) cases, or packets of unbanderolled matches intended for export.

The cases, or packets containing boxes or booklets of matches of each class shall be stored separately, and cases or packets of different sizes shall be stocked according to the average number of gross boxes or booklets in each, so as to facilitate inspection and check at, and issue from, the bonded warehouse.

28. The removal of matches from the bonded warehouse to the manufactory or finishing room for reconditioning shall be under bond and under the supervision of the Supervising Officer provided that the licensee shall not claim a refund of the cost of banderols affixed to the boxes or booklets which must necessarily be destroyed in opening the boxes or booklets. When matches are removed from the bonded warehouse to be reconditioned, the quantity removed shall be entered as an issue in the

appropriate column of the M.E. 4 register with the remark that the matches have been issued to be reconditioned.

CHAPTER V.

29. *Issue of matches from the bonded warehouse.*—No matches shall be issued out of the bonded warehouse except in accordance with the provisions of these rules or otherwise than under a permit issued by the Supervising Officer.

30. *Banderolled matches.*—Every application for a permit under clause 32 shall be in Form M.E..3-B, in duplicate and shall be presented to the Supervising Officer at least one hour before the time fixed for the removal of the matches. Every such application shall be accompanied by a treasury receipt for the value of the banderols purchased.

31. (1) When the treasury receipt produced shows payment for a greater number of banderols than that required for the boxes or booklets of matches contained in the cases, or packets removed, the Supervising Officer shall endorse on the obverse of the Treasury receipt—

(*a*) the serial number of the cases, and packets removed, and the date of their removal;

(*b*) the average number of matches contained in each box or booklet; and

(*c*) the number and class of banderols used for the matches removed.

The Supervising Officer shall make a similar endorsement on the Treasury receipt from time to time until all the banderols paid for under the Treasury receipt have been affixed to boxes or booklets of matches contained in the cases, or packets and such cases, or packets have been removed from the bonded warehouse.

(2) The Treasury receipt shall be despatched to the Deputy Commissioner through the Inspector with a copy of the application in Form M.E. 3-B and the permit delivered at the gate on the date of issue, provided that when the banderols used for the matches removed are less than the number of banderols for which a Treasury receipt has been obtained, the receipt need not be despatched to the Deputy Commissioner but an intimation in Form

M. E. 6 shall be sent to him of the quantity of matches actually removed and the number and date of the Treasury receipt in which the banderols have been paid for.

32. (1) On receipt of an application in Form M.E. 3-B referred to in clause 30 the Supervising Officer shall issue a permit in Form M.E. 5.

(2) The permit in Form M. E. 5 shall be in triplicate, the original shall be retained by the Supervising Officer, the duplicate shall accompany the consignment to be delivered to the peon on guard at the gate, and the triplicate shall be delivered to the licensee to be sent with the consignment of matches to the destination.

(3) The peon on guard at the gate shall detain the consignment and after satisfying himself that the number of cases, or packets in the consignment is the same as that entered in the permit, allow it to pass through the gate. He shall return the duplicate copy of the permit to the Supervising Officer, endorsed by him in token of his having checked and passed the consignment If the peon on guard finds that there is any difference between the number of cases or packets of matches in the consignment or the number of packets in each case as marked on it and the number shown in the permit, he shall not allow the consignment to pass through the gate but shall detain it and report the matter to the Supervising Officer who shall thereupon immediately check the consignments, and in the event of his finding any case, or packet, or cases or packets in excess, take such action as is prescribed under the Act or the rules or obtain the orders of the Deputy Commissioner who, if he considers it necessary, shall refer the matter to Government.

33. When an application in Form M. E. 3-B is presented to the Supervising Officer for removal of matches, contained in boxes or booklets on which banderols purchased on credit have been affixed, the licensee shall, if he has paid for the banderols on the boxes or booklets to be removed, attach the Treasury receipt in token of payment of the cost price of the banderols ; and the Supervising Officer shall issue a permit as laid down in clause 32 and deal with the Treasury receipt as indicated in clause 31 according as the boxes or booklets are removed on the same date or on different dates.

If the cost price of the banderols has not been paid for, the Supervising Officer shall, after scrutinizing the

amount of credit outstanding with the licensee, which should be furnished by the Treasury Officer as enjoined by clause 12 and the amount of deposit or security, issue a permit as laid down in clause 32.

In other respects, clauses 29 to 32 shall apply as in the case of removal of matches in boxes or booklets to which banderols purchased for cash have been affixed.

34. *Unbanderolled matches.*—When a licensee desires to export unbanderolled matches from the bonded warehouse to any place outside India, he shall present an application in Form M.E. 3-B to the Supervising Officer.

35. On receipt of the application from the licensee under clause 34, the Supervising Officer shall scrutinize the details furnished by the licensee and issue a permit in Form M.E. 5 in quadruplicate and permit the removal of the consignment from the bonded warehouse. The original permit shall be retained by the Supervising Officer. The duplicate shall be delivered to the peon at the gate as required by sub-clause (2) of clause 32, the triplicate shall accompany the consignment to its destination, and the quadruplicate shall be delivered to the licensee who shall, in the case of export by land, produce it before the officer in charge at the Land Customs Station (Chowkie) or a verifying officer at such other places as may be prescribed by rule or order. The licensee shall obtain an endorsement on the permit from the aforesaid officer that the consignment has passed out of the limits of Mysore and shall return the permit so endorsed to the Supervising Officer within a week. The Supervising Officer shall send the permit to the Deputy Commissioner through the Inspector with the licensee's application for refund of duty from the amount of duty assessed under cluase 8 of the rules.

CHAPTER VI.

ACCOUNTS.

36. *Matches.*—The Supervising Officer and the licensee shall each maintain a register in Form M.E. 2 showing daily the quantity of matches produced and the quantity sent into the bonded warehouse. At the end of the month, the totals in the M. E. 2 register shall be transcribed into a register in Form M. E. 2-A. Separate

pages shall be allotted in both the registers for unbanderolled matches intended for export and for matches which have been exempted from being packed into boxes and banderolled. The licensee as well as the Supervising Officer shall also maintain a register in Form M. E. 4 showing the quantity of matches received into, and the quantity issued from the bonded warehouse daily. Separate pages shall be allotted in both the registers for the various classes of boxes specified in clause 40 (2) of the Rules and 'unbanderolled' matches for expert. At the end of the month the totals in the M.E. 4 register shall be transcribed into a register in Form M.E. 4-A, showing the receipts and issues for each month. The M. E. 2 and M. E. 4 registers shall be written up daily. The entries in the registers maintained by the licensee shall be compared daily by the Supervising Officer with the entries in his register and he shall initial the licensee's register in token of check. Should there be any discrepancy between the two registers, the entries in the registers maintained by the licensee shall be reconciled with those in the registers maintained by the Supervising Officer, and if they cannot be reconciled, the matter shall be reported to the Deputy Commissioner through the Inspector for orders.

37. The monthly return in Form B prescribed by clause 7 of these rules shall be submitted to the Deputy Commissioner through the Supervising Officer. The Supervising Officer shall check the entries in the return with an extract of the monthly totals as entered in the M.E. 2-A and M.E. 4-A registers; if he finds that the entries agree, he shall submit the return with the extract of the totals in the M.E. 2-A and M.E. 4-A registers to the Deputy Commissioner through the Inspector with an endorsement to the effect that the return has been checked and found correct. If there is any discrepancy between the return in Form B and the M.E. 2 and M.E. 4 registers the Supervising Officer shall return it to the licensee for reconciliation; if the licensee is unable to reconcile the entries so as to bring them into agreement with those recorded in the M.E. 2-A and M.E. 4-A registers, the Supervising Officer shall report the matter to the Deputy Commissioner for orders.

38. The Supervising Officer shall maintain a daily register in Form M.E. 1 showing the receipts of banderols

purchased for cash from the Treasury and of the issues to the licensee. The licensee shall maintain a daily register in Form M. E. 1-A showing the opening balance of banderols with him, receipts from the Supervising Officer, the number used on the boxes of matches sent to the bonded warehouse, the number damaged and unaccounted for, and the balance with him. On the first day of the following month, he shall submit to the Supervising Officer an extract of the totals in the register in Form M.E. 1-A. The Supervising Officer shall check the accuracy of the statement with the entries in the register in Form M.E. 1 maintained by him, submit the return received from the licensee together with an extract of the totals in the register in Form M.E. 1-A to the Deputy Commissioner through the Inspector. From these returns, the Deputy Commissioner shall check the issues of banderols from the Treasury, the duty collected, the number of banderols rendered unserviceable, the number purchased for cash and the number remaining with the licensee at the end of the month, and trace its disposal in the subsequent months. He shall also check whether the number of banderols on the boxes or booklets of matches issued from the bonded warehouse during a particular period exceeds or not the banderols purchased.

39. In regard to banderols purchased on credit, the Supervising Officer shall maintain a separate account of the banderols received and of those issued to the licensee in Form M. E. 1. Both the Supervising Officer and the licensee shall maintain a daily account in Form M. E. 1-B of the number of banderols received from the Supervising Officer, used, rendered unserviceable and remaining to be accounted for, with the balance of duty to be paid by the licensee, provided that the cost of banderols is paid from time to time on the boxes or booklets of matches as they are removed from the bonded warehouse; but if the licensee is permitted by the Deputy Commissioner to remove matches from the bonded warehouse before payment of the cost of banderols on the boxes or booklets removed, the Supervising Officer and the licensee shall maintain an account in Form M. E. 1-C to show daily the amount to be recovered from the licensee on the banderols issued from the Treasury on credit. At the end of the month, the licensee shall submit an abstract of the totals of the register in Forms M. E. 1-B and M. E.

1-C, if one is maintained, to the Supervising Officer who shall after comparing the entries with those in his register, submit the extracts to the Deputy Commissioner through the Inspector with an extract of the total in Form M.E. 1. In the case of banderols issued on credit, the Supervising Officer shall send daily extracts from the M. E. 1 and M. E. 4 registers to the Treasury Officer to enable the latter to know the number of unused banderols in bond and the number on the boxes in the bonded warehouse. Copies of these extracts should also be sent to the Inspector and the Deputy Commissioner.

40. Separate registers as mentioned in the foregoing clauses shall be maintained and separate returns prepared for—

(*i*) boxes or booklets of banderolled matches, the banderols on which have been paid for in cash;

(*ii*) boxes or booklets of banderolled matches, the banderols on which have been purchased on credit; and

(*iii*) boxes or booklets of unbonderolled matches (*a*) exempted from the affixture of banderols to the boxes or booklets and (*b*) intended for export.

41. The accounts of banderols kept at Treasuries and in the manufactory and bonded warehouse shall be in gross numbers and units. In the case of damaged bonderols, the number damaged and the balance remaining after accounting for them shall be in gross numbers and units.

CHAPTER VII.

42. *General.*—If there are two or more exits from a bonded warehouse or manufactory, matches shall be removed therefrom only through the main gate where a peon shall be posted on guard duty.

43. All the gates in the manufactory shall be locked by the licensee before sunset or if the work in the premises ceases earlier, immediately after the cessation of work, and the licensee shall have the keys in his possession. If the licensee desires access to the premises in cases of emergency, he shall open only the lock on the main gate and he shall relock it when he has finished his business in the premises.

44. No matches shall be removed from the manufactory or bonded warehouse except in accordance with the directions contained in these rules.

If any matches are removed by any employee from a manufactory in contravention of the conditions hereinbefore prescribed, the licensee shall be held responsible for such removal and be liable to be dealt with according to the provisions of the Act, of the rules, and of rules and orders made under the Act or the rules as if he had removed the matches himself.

45. Persons coming into, or going out of, the manufactory or bonded warehouse as well as articles brought thereinto, or sent out therefrom, shall be liable to be searched or examined by the peon on guard at the main gate.

46. The licensee shall if so required by the Deputy Commissioner provide at the main gate of the manufactory a small shed suitable for the accommodation of the peon on guard there.

47. The licensee and his agents and servants shall carry out all orders issued by the Supervising Officer or his assistant in the due performance of his duty under the Act, the rules and the provisions contained in these rules.

48. The licensee and his agents and servants shall comply with all orders issued by the Deputy Commissioner or Inspector for carrying out the provisions contained in these rules and to facilitate their enforcement.

49. The Government may, by a special order, exempt any manufactory or bonded warehouse from the operation of any provision contained in these rules.

THE SCHEDULE.

FORM M. E.-1.

(*Vide* Clauses 8, 9, 14, 15, 38 and 39).

Register of receipts and issues of Banderols at..... the Manufactory of.....

Date (1)	Opening balance (2)					Received from Treasury (3)					Total (4)					Issued (5)					Balance (6)					Duty on the balance of banderols in stock (7)										(8) Remarks
	Class of banderols					Class of banderols					Class of banderols					Class of banderols					Class of banderols					Class of banderols										
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1		2		3		4		5	
	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Grosses	Grosses	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Grosses	Grosses	Grosses	Grosses	Singles	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	
																										Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	

FORM M. E. 1-A.

(*Vide clause* 38.)

Statement showing the receipts and expenditure by the licensee of banderols purchased for cash.

Date (1)	Opening balance with the licensee (2)					Received from supervising officer (3)					Total (4)					Used on matches manufactured and sent to bonded warehouse (5)					Damaged and handed over to Supervising Officer (6)					Balance with the licensee (7)					Remarks (8)
	Class of Banderols					Class of banderols					Class of banderols					Class of banderols					Class of banderols					Class of banderols					
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	
		Grosses					Grosses					Grosses					Grosses					Grosses					Singles					Column (5) must agree with column (21) in M. E. 1-B, when banderols are purchased on credit.
		Singles					Singles					Singles					Singles					Singles					Grosses					
		Grosses					Grosses					Grosses					Grosses					Grosses					Singles				

FORM M. E. 1-B.

(*Vide* clause 39.)

PART I—Statement showing the receipts, transfers to the Bonded Warehouse and balance of banderols purchased on credit with the licensee.

Date	Opening balance										Received during the day										Total										Transferred to the Bonded Warehouse										Damaged in process and handed over to the Supervising Officer										Balance with the licensee									
(1)	(2)										(3)										(4)										(5)										(6)										(7)									
	Class of banderols										Class of banderols										Class of banderols										Class of banderols										Class of banderols										Class of banderols									
	1		2		3		4		5		1		2		3		4		5		1		2		3		4		5		1		2		3		4		5		1		2		3		4		5		1		2		3		4		5	
	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles	Grosses	Singles

717

FORM M. E. I-B—*contd.*

Part II—Statement of Banderols purchased on credit or boxes with the Bonded Warehouse, the receipts, issues and closing balance in the Bonded Warehouse.

Date	Opening balance of banderols affixed to boxes in the Bonded Warehouse. (8)					Received in the Bonded Warehouse (9)					Total (10)					Issues from the Bonded Warehouse (11)					Balance in the Bonded Warehouse (12)					Balance of total stock with licensee in the Bonded Warehouse and with Supervising Officer. [column (7)+(12)+ column (6) of Form M. E. 1.] (13)				
	Class of banderols					Class of banderols					Class of banderols					Class of banderols					Class of banderols					Class of banderols				
	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
	Grosses.					Grosses.					Grosses.					Grosses.					Grosses.					Grosses.				
	Singles.					Singles.					Singles.					Singles.					Singles.					Singles.			

FORM M. E. 1-B—*contd.*

Part III—Duty corresponding to entries in Part I.

Duty on stock with the licensee (14)										Duty on issues to the licensee (15)										Total (16)									
Class of banderols										Class of banderols										Class of banderols									
1		2		3		4		5	Total	1		2		3		4		5	Total	1		2		3		4		5	Total
Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.

FORM M. E. 1-B—*contd*

Duty on issues to the Bonded Warehouse (17)										Remission on damaged banderols (18)										Duty on balance with the licensee (19)									
Class of banderols										Class of banderols										Class of banderols									
1		2		3		4		5	Total	1		2		3		4		5	Total	1		2		3		4		5	Total
Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.

FORM M. E. 1-B.—*contd.*

Part IV—Duty corresponding to the entries in Part II.

Duty on banderols in Bonded Warehouse (20)												Duty on receipts in Bonded Warehouse (21)												Total (22)											
Class of banderols										Total		Class of banderols										Total		Class of banderols										Total	
1		2		3		4		5				1		2		3		4		5				1		2		3		4		5			
Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.

FORM M. E. 1-B.—*contd.*

Duty on issues from the Bonded Warehouse (23)												Duty on closing balances in the Bonded Warehouse (24)												Duty on stock in the factory [column (19) + (24) + column (7) in Form M. E. 1.] (25)											
Class of banderols										Total		Class of banderols										Total		Class of banderols										Total	
1		2		3		4		5				1		2		3		4		5				1		2		3		4		5			
Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.

IV-D

FORM M. E. 1-C.

(*Vide* CLAUSE 39.)

Statement showing the duty on banderols purchased on credit from the Treasury remittance made by the licensee and the balance of cost price of banderols to be recovered.

Date	Duty outstanding with the licensee (2)										Duty on receipt of banderols from the treasury (3)										Total (4)									
	Class of banderols										Class of banderols										Class of banderols									
	1		2		3		4		5		1		2		3		4		5		1		2		3		4		5	
(1)	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.

Date	Total		Remittance made by the licensee (5)										Remission on damaged banderols (6)										Balance to be recovered from the licensee (7)										Remarks (8)
			Class of banderols										Class of banderols										Class of banderols										
			1		2		3		4		5		1		2		3		4		5		1		2		3		4		5		
	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	Rs.	a.	

FORM M. E. 1-C.—*contd.*

FORM M. E- 2.

(*Vide* clauses 24, 36 and 37.)

Manufactory of.....

Matches manufactured

Class 1		Class 2		Class 3		Class 4		Class 5		Class 6	
Number of cases/packets—number of gross in each	2	Number of gross boxes or booklets	3	Total number of gross boxes or booklets	4	Number of cases/packets—number of gross in each	5	Number of gross boxes/booklets	6	Total number of gross boxes/booklets	7
Number of cases/packets—number of gross in each	8	Total number of gross boxes/booklets	9	Number of gross boxes or booklets	10	Number of cases/packets—number of gross in each	11	Total number of gross boxes/booklets	12	Number of cases/packets—number of gross in each	13
Total number of gross boxes/booklets	14	Number of gross boxes or booklets	15	Total number of gross boxes or booklets	16	Total number of gross boxes booklets	17				

Removed to bonded warehouse

Here enter under each date serial number assigned to cases or packets produced and those taken into bond

Class 1		Class 2		Class 3		Class 4		Class 5			
Number of cases/packets—number of gross in each	18	Number of gross boxes/booklets	19	Total number of gross boxes/booklets	20	Number of cases/packets—number of gross in each	21	Number of gross boxes/booklets	22	Total number of gross boxes/booklets	23
Number of cases/packets—number of gross in each	24	Number of gross boxes/booklets	25	Total number of gross boxes/booklets	26	Number of cases/packets—number of gross in each	27	Number of gross boxes or booklets	28	Total number of gross boxes or booklets	29
Number of cases/packets—number of gross in each	30	Number of gross boxes or booklets	31	Total number of gross boxes or booklets	32	Total number of gross boxes/booklets	33	Serial number of cases or packets produced	34	Serial number of cases or packets removed to the bonded warehouse	35

FORM M. E. 2-A.

(*Vide* Clauses 36 and 37.)

Manufactory of.....

Matches manufactured																	Removed to bonded warehouse																	Here enter under each date serial number assigned to cases or packets produced and those taken into bond	
Class 1		Class 2		Class 3		Class 4		Class 5			Class 1		Class 2		Class 3		Class 4		Class 5														
Number of cases/packets—number of grosses in each	Total number of grosses boxes or booklets	Number of gross boxes or booklets	Number of cases/packets—number of grosses in each	Total number of grosses boxes/booklets	Number of cases/packets—number of grosses in each	Total number of grosses boxes or booklets	Number of gross boxes or booklets	Number of cases/packets—number of grosses in each	Total number of grosses boxes/booklets		Number of cases/packets—number of grosses in each	Total number of grosses boxes/booklets	Number of gross boxes or booklets	Number of cases/packets—number of grosses in each	Total number of grosses boxes/booklets	Number of cases/packets—number of grosses in each	Total number of grosses boxes or booklets	Number of gross boxes or booklets	Number of cases/packets—number of grosses in each	Total number of grosses boxes/booklets											
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35
																																	Serial number of cases or packets produced	Serial number of cases or packets removed to the bonded warehouse

723

FORM M. E. 3-A.

(*Vide* clauses 24 and 25.)

Application for removal of matches from the manufacturing store to the bonded warehouse of ..... manufactory.

No.

Date.....19

To

The Supervising Officer,

_____Manufactory.

Sir,

Please permit me to remove from the manufacturing store to the bonded warehouse matches as detailed below:—

	Class				
	1	2	3	4	5
Number of cases or packets					
Number of gross boxes or booklets in each case or packet					
Loose matches					
Total number of gross boxes or booklets					

Licence-holder.

NOTE (i).—The cases or packets bear the following serial numbers:—

_____

_____

_____

NOTE (ii).—Class refers to the classes of boxes or booklets specified in clause 42 (2) of the Matches (Excise Duty) Rules 1934.

FORM M. E. 3-B.

(*Vide* clauses 30, 31, 32 and 34.)

Application for removal of Banderolled matches / Unbanderolled matches from the bonded warehouse of.....

No.

Date.....19

To

The Supervising Officer,

.....Manufactory.

Sir,

Please permit me to remove for Inland consumption / Export matches in accordance with the particulars given below:—

	Class				
	1	2	3	4	5
Name and address of the consignee					
Place of booking by rail or port of shipment where the removal is for export					
Number of cases or packets					
Number of gross boxes or booklets in each case or packet					
Total number of gross boxes or booklets					
Loose matches					

Rs. A. P.

Duty paid Dated.....of.....Treasury

Treasury Receipt No.

Licence-holder

NOTE (i).—The cases or packets bear the following serial numbers:—

_____

_____

_____

NOTE (ii).—Class refers to the classes of boxes or booklets specified in clause 42 (2) of the Matches (Excise Duty) Rules 1934.

FORM M. E. 4.

(*Vide* clauses 25, 28, 36, 37 and 39.)

Register of Receipts and Issues of Matches from.....bonded warehouses of.....

Date	Opening balance				Received in store				Total				Issued			
													For inland consumption			
	Number of cases/packets	Number of gross in each	Number of gross boxes/booklets	Total number of gross boxes/booklets	Number of cases/packets	Number of gross in each	Number of gross boxes booklets	Total number of gross boxes/booklets	Number of cases/packets	Number of gross in each	Number of gross boxes/booklets	Total number of gross boxes/booklets	Permit number	Number of cases/packets	Number of gross in each	Number of gross boxes/booklets	Total number of gross boxes/booklets
1	2		3	4	5		6	7	8		9	10	11	12	13		14

Date	Issued												Balance					
	For export					Duty to be levied	Destroyed or sent back for reconditioning				Total						Duty on the balance	Remarks
	Permit number	Number of cases/packets	Number of gross in each	Number of gross boxes/booklets	Total number of gross boxes/booklets		Number of cases/packets	Number of gross in each	Number of gross boxes/booklets	Total number of gross boxes/booklets	Number of cases/packets	Number of gross in each	Number of gross boxes/booklets	Total number of gross boxes/booklets	Number of cases/packets	Number of gross in each	Number of gross boxes/booklets	Total number of gross boxes/booklets		
	15	16		17	18	19	20	21	22	23	24	25	26	27	28		29	30

NOTE.—The serial numbers on cases/packets removed from the bonded warehouses should be noted in the remarks column against the dates of issue.

FORM M.F. 4-A.

(*Vide* clauses 36 and 37.)

Register of Receipts and Issues of Matches from.....bonded warehouse of.....

Month	Opening balance			Received in store			Total			Issued										Balance			Duty on the balance	Remarks
										For export			Duty to be levied	Destroyed or sent back for reconditioning			Total							
	Number of cases/ packets	Number of gross in each	Total number of gross boxes/booklets	Number of cases/ packets	Number of gross in each	Total number of gross boxes/booklets	Number of cases/ packets	Number of gross in each	Total number of gross boxes/booklets	Number of cases/ packets	Number of gross in each	Total number of gross boxes/booklets		Number of cases/ packets	Number of gross in each	Total number of gross boxes/booklets	Number of cases/ packets	Number of gross in each	Total number of gross boxes/booklets	Number of cases/ packets	Number of gross in each	Number of gross boxes/booklets	Total number of gross boxes/booklets		
1	2		3	5		6	7	8	9	10	11		12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
January																												
February																												
March, etc.																												

Issued: For inland consumption — Number of cases/packets; Number of gross in each; Total number of gross boxes/booklets

Total — Number of cases/packets; Number of gross in each; Number of gross/booklets; Total number of gross boxes/booklets

Received in store — Number of cases/packets; Number of gross in each; Number of gross boxes/booklets; Total number of gross boxes/booklets

Opening balance — Number of cases/packets; Number of gross in each; Number of gross boxes/booklets; Total number of gross boxes/booklets

Issued — For export — Number of cases/packets; Number of gross in each; Number of gross boxes/booklets; Total number of gross boxes/booklets

Duty to be levied

Destroyed or sent back for reconditioning — Number of cases/packets; Number of gross in each; Number of gross boxes/booklets; Total number of gross boxes/booklets

Total — Number of cases/packets; Number of gross in each; Number of gross/booklets; Total number of gross boxes/booklets

Balance — Number of cases/booklets; Number of gross in each; Number of gross boxes/booklets; Total number of gross boxes/booklets

Duty on the balance

Remarks

FORM M.E. 5,

(*vide* clause 35.)

Permit for the issue of matches from the bonded warehouse of———

No.———— Dated————19

————————————————is hereby permitted to remove from the bonded warehouse————cases or packets of matches for issue to the person mentioned below :—

Name————————————

Address————————————

	Class 1.	Class 2.	Class 3.	Class 4.	Class 5.
Number of cases or packets					
Serial number of the cases or packets					
Number of gross boxes or booklets in each case or packet					
Total number of gross boxes or booklets					
Total ...					

Duty paid, Rs.

Treasury Receipt No.————dated————of————Treasury,

The consignment shall pass through the————gate.

Supervising Officer, Bonded Warehouse.

NOTE (i).—To be printed in triplicate.

NOTE (ii). Class refers to the classes of boxes or booklets specified in clause 40 (2) of the Matches (Excise Duty) Rules, 1934.

NOTE (iii).—Claims for refund in case of export shall be supported by a certificate of shipment outside India.

Checked the contents according to the details of permit and passed out of the gate as follows :—

Number of cases or packets————

Number of gross boxes or booklets in each case, or packet————

Total number of boxes or booklets————

Number of loose matches————

Serial number————

Peon on guard duty,

FORM M.E. 6.

(*vide* clause 31.)

Letter of intimation.

No.———— Dated————19

To

The Deputy Commissioner / Treasury Officer,

————————

Sir,

I have this day issued matches from the bonded warehouse, particulars of which are noted below; the cost of banderols of which has been paid under the following treasury receipts :—

(i) Name————————————

Address————————————

(ii) Treasury Receipt No.————dated————

No.————dated————

No.————dated————

(iii)

	Class 1.	Class 2.	Class 3.	Class 4.	Class 5.
Number of cases or packets					
Serial number of cases or packets					
Number of gross boxes or booklets in each case or packet					
Total number of boxes or booklets					

Duty paid, Rs.

Treasury Receipt No.————dated————of————Treasury

Supervising Officer.

Copy to the Treasury Officer.

NOTE.—Class refers to the classes of boxes or booklets specified in clause 40 (2) of the Matches (Excise Duty) Rules 1934.

727

FORM M. E.-7.

(*Vide* Clause 9.)

Indent for the Purchase of Banderols for Cash.

(In triplicate.)

To

The Treasury Officer

———————

Sir,

Please supply me with banderols, particulars of which are furnished below, for which I enclose a challan for the remittance of Rs.————————less rebate.*

Class 1	Class 2	Class 3	Class 4	Class 5

Licensee.

1. The indent particulars of which are given above may be complied with. The factory is not a cottage factory.

2. A rebate certificate has been granted in Deputy Commissioner's No.———dated ————————and is current up to————————

Supervising Officer.

NOTE.—The word 'not' will be deleted in the case of cottage factories and paragraph 2 in case of factories which are not working under the rebate certificate-

*To be deleted where no certificate issued by the Deputy Commissioner is in Force

———

FORM M. E.-8.

(*Vide* clause 9.)

Requisition for the Supply of Banderols on Credit.

To

The Supervising Officer,

————————Manufactory.

Dated————————*193*

Sir.

I/We have this day in my/our Factory the undermentioned quantities of banderols-

Class of Banderols.	Number of gross. Gross.	Singles.	Value. Rs.	A.	P.
Class 1					
Class 2					
Class 3					
Class 4					
Class 5					
Total					

2. Please ask the Treasury Officer————————to supply me/us with banderols of the following denomination on credit for use at my/our match manufactory.

Date	Class of Banderols	Number of gross required.	Value. Rs.	A.	P.
	Class 1				
	Class 2				
	Class 3				
	Class 4				
	Class 5				
	Total				

Licensee.

Forwarded to the Treasury Officer,————————

2. The quantities of grosses of banderols indented for are due to him/them on credit and may/may not be issued (state the number of gross of banderols of each class to be issued according to credit balance in deposit or security.)

Supervising Officer.